

Preliminary Amendment

Serial No. 09/912,049 by Rehberger et al.

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A3  
✓  
63. (New) A method of claim 49, wherein a milk produced by the ruminant fed the microorganism has a higher percent of fat when compared to a milk produced by the ruminant when it is not fed the isolated microorganism.

B1  
64. (New) A method of claim 49, wherein a milk produced by the ruminant fed the microorganism has a substantially greater percent of solids-non-fat when compared to a milk produced by the ruminant when it is not fed the isolated microorganism.

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REMARKS

This preliminary amendment is submitted along with an election in response to the restriction requirement, to round out the scope of coverage sought by applicant. This preliminary amendment also corrects typographical errors found in claims 4 and 7. The application is believed to be in condition for examination, and such action is earnestly requested.

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No fees are believed to be payable with the submission of this amendment. However, the Director is authorized to charge any fees associated with this or any other communication, or credit any overpayment, to Deposit Account No. 50-1170.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Amended Claims

4. (Amended) A method of claim 3, wherein the ruminant is fed strain comprises strain P169.

7. (Amended) A method of claim 76, wherein the ruminant is fed the microorganisms such that the amount of microorganism delivered to the ruminant is about  $6 \times 10^{11}$  CFU/animal/day.